

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**BRANCH BANKING & TRUST CO.,
SUCCESSOR IN INTEREST TO
COLONIAL BANK, BY ACQUISITION
OF ASSETS FROM THE FDIC AS
RECEIVER FOR COLONIAL BANK,
Plaintiff,**

v.

**WILLIAM K. WELLS,
Defendant.**

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Civil Action No. 3:10-cv-2238-L

**ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO FILE UNTIMELY RESPONSE
TO THE COURT'S JANUARY 17, 2013 ORDER [ECF DOCUMENT NO. 33]**

Came on to be considered on this day, the Motion for Leave to File Untimely Response to the Court's January 17, 2013 Order [ECF Document No. 33] (the "Motion"), filed by Plaintiff Branch Banking & Trust Co., successor in interest to Colonial Bank, by acquisition of assets from the FDIC as Receiver for Colonial Bank, and after consideration of the Motion, the Court finds the Motion is well taken and should be GRANTED. It is, therefore,

ORDERED that Plaintiff's Response to the Court's January 17, 2013 Order [ECF Document No. 33], filed contemporaneously with Defendant's Motion for Leave, be entered on the Court's docket.

Signed this ____ day of _____, 2013.

**SAM A. LINDSAY
U.S. DISTRICT JUDGE**